

IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE:

AT&T COMMUNICATIONS OF THE
SOUTH CENTRAL STATES, INC.,
TARIFF TO IMPLEMENT \$1.40
DIRECTORY ASSISTANCE CHARGE

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DOCKET NO.

TARIFF NO. 99-00757

SEP 29 PM 3 58

COMPLAINT AND PETITION FOR INFORMATION

Comes the Office of the Attorney General & Reporter, through its Consumer Advocate Division, and files a complaint against AT&T regarding the October 8, 1999 notice to consumers on the ground that said notice was insufficient. In addition, the Consumer Advocate Division petitions for information regarding AT&T's directory assistance charge and its charges for other services. For cause the Complainant and Petitioner would show:

I.

1. The Consumer Advocate Division of the Office of the Attorney General is authorized by Tenn. Code Ann. § 65-4-118 (c)(2)(A) to initiate a contested case, and participate or intervene in proceedings to represent the interests of Tennessee consumers in accordance with the Uniform Administrative Procedures Act (UAPA).
2. The Consumer Advocate Division of the Office of the Attorney General is authorized by Tenn.

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Code Ann. § 65-4-118 (c)(2)(B) to petition for information when it does not have sufficient information to initiate a proceeding.

3. That defendant, AT&T of the South Central States, is a publicly held utility and is subject to the jurisdiction of the Tennessee Regulatory Authority (“Authority”) pursuant to Tenn. Code Ann. § 65-4-101. Counsel for AT&T is James Lamoureux, Esq., Law and Government Affairs, 1200 Peachtree Street N.E., Atlanta, Georgia.

4. That on or about October 4, 1999 the defendant filed documents with the Authority seeking to institute a charge of \$1.40 for directory assistance.

5. That, currently, the defendant’s directory assistance charges are encompassed in defendant’s Tennessee intrastate rates and there is no separate charge for directory assistance.

6. That defendant’s October 4, 1999 document filing alleged that a notice would be placed in newspapers on October 8, 1999.

7. That defendant’s October 4, 1999 document filing contained the notice the defendant planned to submit and said notice states:

Notice is hereby given that AT&T Communications of The South Central States, Inc, has filed a tariff to **revise** the AT&T Directory Assistance Service rates of the AT&T General Services and Customer Network Services in Tennessee. This tariff will become effective **11/7/99**. All **parties** in this matter may obtain information from the Tennessee Regulatory Authority, 460 James Robertson Parkway, Nashville, Tennessee, 37243-0505. (Emphasis added).

8. That Tenn. Admin. Rule 1220-4-2-.55(e) 2 provides:

Prices may be increased thirty (30) days after the proposed price list filing date and after approval by the Commission provided, however that the prices of the DDD category of service shall not be increased above any Commission prescribed price cap. **Affected customers shall be notified by direct mail or by publication of a notice in a newspaper of general circulation in the affected service area thirty (30) days prior to the effective date of any rate increase.** A

copy of such notice shall be filed with the Commission concurrently with the tariff filing. (Emphasis added.)

9. That the notice submitted in defendant's October 4, 1999 statement does not notify consumers of a rate increase (the notice only states that the rate is "revise[d]") and violates Tenn. Admin. Rule 1220-4-2-.55(e) 2.
10. That defendant's notice limits inquiries to "parties" only and violates the spirit and intent of Tenn. Admin. Rule 1220-4-2-.55(e) 2.
11. That defendant's notice fails to disclose the existing rate and proposed rate and fails to protect consumers and is inconsistent with the legislative intent and policy of Tenn. Code Ann. § 65-4-123.
12. That the defendant's filing should be dismissed for failure to comply with Tenn. Admin. Rule 1220-4-2-.55(e) 2 and Tenn. Code Ann. § 65-4-123.

II.

The Complainant and Petitioner hereby incorporates the allegations of section I above and further petitions the Authority for information with respect to defendants proposed filing.

13. That the defendant did not provide the financial revenues which its rate increase is expected to provide the company.
14. That the defendant did not provide the cost to it to provide directory assistance.
15. That the defendant does not propose to lower any other rates to offset its gains in revenue.
16. That the Consumer Advocate Division does not have sufficient information to initiate a proceeding with respect to the directory assistance increase.
17. That the Consumer Advocate Division petitions to obtain information from the defendant in

accordance with Tenn. Code Ann. § 65-4-118 (c)(2)(B).

18. That the Petitioner seeks the information identified in **Attachment A** to this Complaint and Petition and hereby incorporates said attachment by reference.

19. That the type of proceeding that may be initiated is one which protects consumers in accordance with Tenn. Code Ann. § 65-4-123, Tenn. Code Ann. § 65-4-122 and Tenn. Code Ann. § 65-5-201 and requires the defendant to justify its tariff in accordance with Tenn. Admin. Rule 1220-4-2-.55(c) 4.

Wherefore the Complainant and Petitioner prays that the Authority find that defendant's notice is insufficient and not in accord with the purpose and intent of Tenn. Admin. Rule 1220-4-2-.55(e) 2 and that defendant's filing be dismissed because of failure of notice.

The Complainant and Petitioner further prays that the Authority grant its Petition for Information and for such other relief as is just.

Respectfully submitted,

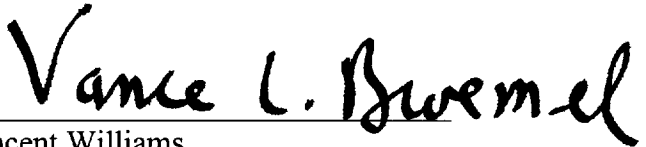
A handwritten signature in black ink that reads "Vance L. Broemel". The signature is written in a cursive, slightly slanted style.

L. Vincent Williams, 011189
Deputy Attorney General
Vance L. Broemel, 11421
Assistant Attorney General
Consumer Advocate Division
Cordell Hull Building, 2nd Floor
425, 5th Avenue North
Nashville, Tennessee 37243-0500
(615)-741-8700

Certificate of Service

I hereby certify that a true and correct copy of the Complaint and Petition for Information was served on parties below via U.S. Mail, postage prepaid, this October 29, 1999.

James Lamoureux, Esquire
AT&T
Room 4068
1200 Peachtree Street N.E.
Atlanta, Georgia 30309



L. Vincent Williams

Attachment A

1. Identify the current average number of directory assistance calls made monthly by the average Tennessee AT&T of the South Central States residential customer.(Provide detailed workpapers and identify the source of all data and all assumptions used.)
2. Identify the current average number of directory assistance calls made monthly by the average Tennessee AT&T of the South Central States business customer.(Provide Detailed workpapers and identify the source of all data and all assumptions used.)
3. Identify the projected number of directory assistance calls that will be made monthly by the average Tennessee AT&T of the South Central States residential customer if the proposed directory assistance charge is approved.(Provide Detailed workpapers and identify the source of all data and all assumptions used.)
4. Identify the projected number of directory assistance calls that will be made monthly by the average Tennessee AT&T of the South Central States business customer if the proposed directory assistance charge is approved.(Provide Detailed workpapers and identify the source of all data and all assumptions used.)
5. Identify the average cost per directory assistance call incurred by AT&T of the South Central States. For example identify the investment used to provide the service, the related depreciation expense, the cost of money include in the cost of providing the service, payroll expense, salary and wage expense, etc.
6. Identify the increase in annual revenue projected to be collected from Tennessee ratepayers if the proposed directory assistance charge is approved. (Provide Detailed workpapers and identify the source of all data and all assumptions used.)
7. Identify any projected annual cost saving that AT&T of the South Central States will realize if the proposed directory assistance charge is approved. (Provide Detailed workpapers and identify the source of all data and all assumptions used.)
8. Identify all benefits that AT&T of the South Central States' Tennessee ratepayers will realize if the proposed directory assistance charge is approved. (Provide Detailed workpapers and identify the source of all data and all assumptions used.)
9. Identify any service that AT&T of the South Central States' Tennessee ratepayers not presently being provided that will be provided if the proposed directory assistance charge is approved.
10. Identify all benefits Tennessee citizens are not currently realizing that they will realize if the proposed directory assistance charge is approved. (Provide Detailed workpapers and identify the source of all data and all assumptions used.)

Attachment A

11. Identify the intrastate revenue that AT&T of the South Central States is currently collecting from Tennessee consumers by source for the most recent twelve months. (Intrastate interLATA revenue, Intrastate intraLATA revenue, directory assistance, and other.) (Provide a detailed explanation of other revenues.).
12. Identify AT&T of the South Central States' operating expense (salary and wages, employee benefits, depreciation, amortization, insurance, taxes, etc) incurred by AT&T of the South Central States in providing Tennessee Intrastate service for the most recent twelve months. (Provide the expense in the most detailed breakdown available and tie the amounts provided to AT&T of the South Central States, official books and records.)
13. Identify AT&T of the South Central States average investment used in the provision of intrastate service in Tennessee for the most recent twelve months. (Provide the investment in the most detailed breakdown available and tie the amounts to AT&T of the South Central States' official books and records.)
14. State AT&T of the South Central States' return on investment and equity from Tennessee Intrastate operations.

Request to Admit

15. AT&T admits that in accordance with Tenn. Code Ann. 65-5-201 the Tennessee Regulatory Authority has the power after hearing upon notice, by order in writing, to fix just and reasonable individual rates, joint rates, tolls, fares, charges or schedules thereof, as well as commutation, mileage, and other special rates which shall be imposed, observed, and followed thereafter by AT&T of the South Central States.
16. AT&T admits that AT&T of the South Central States is required to charge rates that are just and reasonable in accordance with Tenn. Code Ann. 65-4-122.
17. AT&T admits Admit that in the last general rate proceeding under which AT&T of the South Central States' Tennessee intrastate rates were set the cost of providing directory assistance to Tennessee ratepayers was encompassed in the cost of service to be recovered through the approved rates.